

# UNITED STATES DISTRICT COURT

for the  
District of South Carolina

Marcus Payne

*Plaintiff*

v.

Nelson V. Leeke, et al.; Byers, SCDC Director;  
Unknown(s), SCDC Defendants to be amended;

*Defendant*

Civil Action No. 1:12-01635-JMC-SVH

## JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the plaintiff *(name)* \_\_\_\_\_ recover from the defendant *(name)* \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* \_\_\_\_\_ recover costs from the plaintiff *(name)* \_\_\_\_\_.

☒ other: the plaintiff, Marcus Payne, shall take nothing of the defendants, Nelson V. Leeke, Byers and Unknown(s), as to the complaint filed pursuant to 42 U.S.C. §1983 and this action is dismissed without prejudice for lack of prosecution and for failure to comply with this court's orders pursuant to Rule 41(b).

This action was *(check one)*:

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable J. Michelle Childs, United States District Judge, presiding, which dismissed the action without prejudice.

Date: July 26, 2012

LARRY W. PROPES, CLERK OF COURT

s/A. Buckingham

*Signature of Clerk or Deputy Clerk*